IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 6363 of 2007(G)

---

PETITIONER:

---

JOSE MELVIN. P.L., JUNIOR SCIENTIFIC OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY, KAKKANAD, ERNAKULAM DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT OF HOME AFFAIRS, SECRETARIAT, THIRUVANANTHAPURAM.

2. CHIEF CHEMICAL EXAMINER TO GOVERNMENT, CHEMICAL EXAMINER'S LABORATORY, THIRUVANANTHAPURAM.

3. M.V. SIVANKUTTY, ASSISTANT CHEMICAL EXAMINER, REGIONAL CHEMICAL EXAMINER'S LABORATORY, KAKKANAD, ERNAKULAM DISTRICT.

4. K.D. ANIE, JUNIOR SCIENTIFIC OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY, KAKKANAD, ERNAKULAM DISTRICT.

5. SALI K. CHERIAN, JUNIOR SCIENTIFIC OFFICER, REGIONAL CHEMICAL EXAMINER'S LABOLRATORY, KAKKANAD, ERNAKULAM DISTRICT.

6. K.T. SASI, JUNIOR SCIENTIFIC OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY, KAKKANAD, ERNAKULAM DISTRICT.

7. N. ABDUL VAHID, JUNIOR SCIENTIFIC OFFICER, CHEMICAL EXAMINER'S LABORATORY, THIRUVANANTHAPURAM-35.

8. C. RAJAN PILLAI, JUNIOR SCIENTIFIC OFFICER, CHEMICAL EXAMINER'S LABORATORY, THIRUVANANTHAPURAM-35.

9. A. RAJASREE, JUNIOR SCIENTIFIC OFFICER, CHEMICAL EXAMINER'S LABORATORY THIRUVANANTHAPURAM-35.

10. M.C. CHITHRA, JUNIOR SCIENTIFIC OFFICER, CHEMICAL EXAMINER'S LABORATORY, THIRUVANANTHAPURAM-35.

11. M. LILA, JUNIOR SCIENTIFIC OFFICER, CHEMICAL EXAMINER'S LABORATORY, THIRUVANANTHAPURAM-35.

12. P.G. ASOKUMAR, JUNIOR SCIENTIFIC OFFICER, CHEMICAL EXAMINER'S LABORATORY, THIRUVANANTHAPURAM-35.

13. RAJALAKSHMI. R., JUNIOR SCIENTIFIC OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY, KAKKANAD, ERNAKULAM DISTRICT.

14. JOSEPH, JUNIOR SCIENTIFIC OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY, KAKKANAD, ERNAKULAM DISTRICT.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.K.DENESAN, J**

---

**W.P.(C)NO. 6363 of 2007**

---

**Dated this the 1st day of March, 2007**

**JUDGMENT**

The petitioner is a Junior Scientific Officer. The third respondent is working as Assistant Chemical Examiner and respondents 4 to 14 belong to the cadre of Junior Scientific Officer. There is a dispute between the petitioner and respondents 3 to 14 about their seniority in the cadre of Junior Scientific Officer. In order to settle that dispute, the petitioner had approached the Chief Chemical Examiner. This Court, in an earlier writ petition filed by the petitioner had directed the Chief Chemical Examiner to consider the claims of the parties and to take a decision. Ext.P7 is the order passed by the Chief Chemical Examiner pursuant to the directions issued in judgment dated 19.10.2006. The petitioner is aggrieved by the manner in which the issue was dealt with by the Chief Chemical Examiner and the

rejection of his claim. Feeling aggrieved, he has filed Ext.P8 representation which can be considered as an appeal filed before the Government under rule 27B of KS&SSR to get his grievance redressed, in the matter of seniority. Certainly, one of the reliefs prayed for by him is to set aside Ext.P7.

2. The Government has got the power to look into the entire gamut of the matter and to decide whether the petitioner's claim for seniority is well founded and acceptable. The main contention of the petitioner that the Chief Chemical Examiner failed to consider the issue properly. It is, therefore, necessary that the Government shall consider the issue adverting to the contentions raised by the parties and pass appropriate orders. Hence, there shall be a direction to the first respondent to issue notice to the petitioner as also to respondents 3 to 14, consider the contentions of the parties and pass a speaking order settling the dispute. This shall be done as early as possible, in any, event within three months from the date of receipt of a copy of the judgment. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the first respondent

for information and compliance.

**K.K.DENESAN, JUDGE**

CSS